

REMARKS

Claims 59-63, 66-84 and 87 are now pending in the application. The Examiner is respectfully requested to reconsider and withdraw the rejection(s) in view of the amendments and remarks contained herein.

Claims 59-63, 66-71 and 87 are rejected under 35 U.S.C. §112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Specifically, the examiner maintains that the claim limitation "the quadrilateral plate," as set forth in claim 59 lacks antecedent basis. Applicant has amended claim 59 to include language such that the anatomical structure includes a quadrilateral plate. The amendment is straightforward and further explanation does not appear necessary.

Claims 59-63, 66-84 and 87 are rejected under 35 U.S.C. §102(b) as being anticipated by Mears 4,454,876. Mears '876 discloses an implantable pelvic fixation plate having an elongated body provided with a central portion and a pair of iliac supporting portions disposed on opposite sides thereof. (Col. 1, ll. 49-50.) Disposed on opposite ends of the central portion 2 are a pair of iliac supporting portions 4, 6 which are adapted to be secured to the iliac bones of the patient. (Col. 2, ll. 58-61.) Accordingly, the pelvic fixation plate of Mears '876 extends between the respective iliac bones of a patient.

As amended, claim 59 requires that the support member is positioned adjacent to and provides support to the quadrilateral plate. For a reference to anticipate a claim under 35 U.S.C. §102(b) each and every element of the claimed invention must be found in the reference. Since Mears '876 does not disclose a support member

adjacent to and providing support to the quadrilateral plate of an anatomical structure applicant submits that claim 59 and the claims depending therefrom are allowable.

With respect to independent claim 72, applicant submits that the examiner has not made a prima facie case that the claim limitations set forth therein are shown in Mears '876. Accordingly, applicant respectfully requests allowance of claim 72 and the claims depending therefrom.

Accordingly, it is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot and the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 364-0200.

Respectfully submitted,

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